

AMENDED IN SENATE JUNE 26, 2012

AMENDED IN SENATE JUNE 6, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1784

Introduced by Assembly Member Monning

February 21, 2012

An act to add Section 4810 to the Fish and Game Code, relating to mountain lions, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1784, as amended, Monning. Mountain lions.

Proposition 117, an initiative measure approved by the electors at the June 5, 1990, direct primary election, enacted the California Wildlife Protection Act of 1990. The act establishes that the mountain lion is a specially protected mammal under the laws of this state, and makes it unlawful to take, injure, possess, transport, import, or sell any mountain lion or any part or product thereof. The act establishes certain exemptions from that prohibition. The act prohibits the Legislature from changing the act, with specified exceptions, except by a $\frac{4}{5}$ vote of the membership of both houses of the Legislature and then only if consistent with, and in furtherance of, the purposes of the act.

This bill would authorize the Department of Fish and Game to authorize qualified individuals, educational institutions, governmental agencies, or nongovernmental organizations to conduct scientific research involving mountain lions that meets specified requirements, pursuant to a ~~scientific collector's permit~~ *Scientific Collecting Permit*,

as defined. The bill would find and declare that the amendments made by the bill are consistent with, and further the purposes of, the act.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{4}{5}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4810 is added to the Fish and Game Code,
2 to read:

3 4810. (a) As used in this section:

4 (1) “Authorized research project” means a research project
5 involving mountain lions subject to a ~~scientific collector’s permit~~
6 *Scientific Collecting Permit* issued in accordance with this section.

7 (2) “Permitholder” means a person to whom the department has
8 issued a ~~scientific collector’s permit~~ *Scientific Collecting Permit*
9 in accordance with this section.

10 (3) ~~“Scientific collector’s permit”~~ “*Scientific Collecting Permit*”
11 or “permit” means a permit issued pursuant to Section 1002 for a
12 research project involving mountain lions in accordance with this
13 section.

14 (b) The department may authorize qualified individuals,
15 educational institutions, governmental agencies, or
16 nongovernmental organizations to conduct scientific research
17 involving mountain lions pursuant to a ~~scientific collector’s permit~~
18 *Scientific Collecting Permit* as provided in Section 1002.

19 (c) The department may authorize permitholders to pursue,
20 capture, temporarily possess, temporarily injure, mark, attach to
21 or surgically implant monitoring or recognition devices in, provide
22 veterinary care to, and transport, mountain lions, or any part or
23 product of a mountain lion.

24 (d) ~~Notwithstanding~~ *In addition to the requirements in* Section
25 1002, an authorized research project shall be designed to do the
26 following:

27 (1) Contribute to the knowledge of natural wildlife ecosystems.

28 (2) Minimize disruptions in the lives and movements of
29 mountain lions and other wildlife, as well as impacts to mountain
30 lion or other wildlife habitat, while maintaining the permitholder’s
31 research objectives.

1 (3) Directly or indirectly support the sustainability and survival
2 of mountain lion populations and healthy ecosystems.

3 (4) Prevent the permanent injury or killing of any mountain
4 lion.

5 (e) An authorized research project shall be governed by the
6 ~~scientific collector's permit~~ *Scientific Collecting Permit*. The permit
7 shall include, at a minimum, proposed research methods and
8 recordkeeping procedures that address the following:

9 (1) The capture of, anesthetization of, collection of diagnostic
10 samples from, and transport of, mountain lions or parts and
11 products thereof, and the attaching to or surgically implanting
12 monitoring or recognition devices or markings in, and providing
13 veterinary care as required for the health, safety, and humane
14 treatment of, animals affected by the research project.

15 (2) The recording of the adverse effects of authorized research
16 procedures on mountain lions and other wildlife.

17 (3) The qualifications of onsite personnel necessary for carrying
18 out authorized research procedures. A permit applicant shall submit
19 verifiable documentation demonstrating that at least one onsite
20 staff person has at least one year of experience in proposed research
21 methods that involve activities described in subdivision (c).

22 (4) Annual and final reports to the department.

23 (f) The department shall notify the public at least 30 days prior
24 to the issuance of a permit, and, upon request, shall make available
25 to the public copies of the permit and annual and final reports.

26 (g) The department shall handle any mortality or permanent
27 injury to a mountain lion as a result of research authorized pursuant
28 to this section in a manner consistent with the reporting and
29 processing requirements imposed in Section 4807.

30 SEC. 2. The Legislature finds and declares that the amendments
31 made by this act are consistent with, and further the purposes of,
32 the California Wildlife Protection Act of 1990.

33 SEC. 3. This act is an urgency statute necessary for the
34 immediate preservation of the public peace, health, or safety within
35 the meaning of Article IV of the Constitution and shall go into
36 immediate effect. The facts constituting the necessity are:

- 1 In order to allow the continuation of critical ongoing scientific
- 2 research involving mountain lions, a specially protected mammal,
- 3 it is necessary that this act take effect immediately.

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